

KENTUCKY BOARD OF DENTISTRY
BOARD MEETING
January 14, 2012

Adam Rich, D.M.D. called the meeting to order at 9:03 a.m. There was a determination of a quorum.

ROLL CALL

Board members present were: Dr. Fonda Robinson (ex-officio UKCD); Dr. Jason Edward Ford; Dr. Kathy King; Dr. Sid Brantley; Allan Francis; Dr. Julie McKee, (ex-officio Dept. Public Health); Mary Ann Burch R.D.H.; Dr. Adam Rich; Dr. C. Mark Fort; Mara Beth Womack R.D.H.; Dr. Susan King; Dr. Tim Daugherty (ex-officio ULSD) and Dr. Robert Zena. Becky Tabor RDH was not in attendance.

Staff present were Mr. Bishop K. Bishop, Executive Director; David J. Beyer, General Counsel, Marquetta Poynter, D.M.D. and Lisa A. Turner, Executive Staff Advisor.

Guests present:

Stephen Rhodes, D.M.D., Academy of General Dentistry

Dr Darren Greenwell, Academy of General Dentistry

Laura Blanton, R.D.H., KyDHA

Donna Ruley, R.D.H., Executive Director KyDHA

Dr. B. J. Moorhead

Dr Elisa Pape

Dr. Richard Pape

Dr. John Creech

Mike Porter

Dr. Mark Schulte

Dr. Jill Bassett

DIRECTOR'S REPORT

Mr. Bishop discussed the agency's putative budget cuts per Governor's direction. Mr. Bishop requested the creation of a task force to assist with budget cut decisions.

Mr. Bishop gave dental renewal statistics: 193 dentists had still not renewed as of January 13, 2012.

Dr. Fort made a motion that 25% of the dentists be randomly audited for continuing education compliance for 2010 and 2011. Allan Francis seconded the motion. All were in favor.

Mary Ann Burch made a motion to use the odd numbered birthday and birth year as the random parameter used to select the 25% of the dentists to be audited. Dr. Rich seconded the motion. All were in favor. Dr. Fort went on the record that he holds the position that publishing the selection parameters defeats the purpose of the audit being random.

Dr. Brantley made the motion to set the standing Board Meeting Calendar as the second Saturday of every odd month. Allan Francis seconded the motion. All were in favor.

Dr. Fort made a motion that ex-officio Board Members be allowed to attend educational meetings and conferences on behalf of the Board as long as it is within the budgetary constraints of the agency. Dr. Susan King seconded the motion. All were in favor. Dr. Kathy King abstained.

COMMITTEE REPORTS

Advisory Opinion Task Force

No report

Laser Use by Hygienists

No report

Education Committee

No report

Board Rules Committee

Dr. Rich requested the Board Members to review the proposed rules.

Public Health Hygienist Committee

Dr. Mark Schulte gave the report: he provided a draft of regulations. An advisory opinion was requested by the KyDHA to resolve the question of dental hygienist supervision which is currently in conflict.

Jurisprudence Exam Committee

Dr. Kathy King gave report including the proposed changes. Dr. Kathy King made a motion to replace four questions attached. Dr. Brantley seconded the motion. All were in favor.

The issue of enforcing or removing the requirement of a notarized renewal application and a photo will be researched by Mr. Beyer and Mr. Bishop.

Anesthesia and Sedation Committee

Dr. Jason Edward Ford gave the committee report. He made a motion to approve the American Dental Society of Anesthesiology as a provider of airway management courses for purposes of meeting the sedation regulation requirement. Dr. Fort seconded the motion. All were in favor.

Dr. Zena made a motion that sedation permit applicants who have not administered the sedation type for which they are making an application, for more than three years since the completion date of their sedation training, shall be asked to meet with the Sedation Committee prior to the issuance of the permit. Dr. Fort seconded the motion. All were in favor. Dr. Susan King abstained.

Dr. Jason Edward Ford made a motion to delete the restriction in the dental assistant regulation and to confirm the authority granted in the sedation regulation for dental assistants to administer nitrous oxide under the direct supervision of the dentist contingent upon the finding that there is not a conflict in statute for the same. Dr. Kathy King seconded the motion. Seven were in favor. Three were opposed. Motion carried by majority.

The facility inspection checklist for moderate enteral and minimum pediatric sedation erroneously contains IV fluids on the list and the need to remove it from that list was discussed.

Law Enforcement Committee

Dr. Kathy King gave the LEC report.

Dr. Rich made a motion that “for the dentists who have not renewed their license, no punitive action will occur to dentists who renew license before January 31, 2012, and pays their late fee, after 1 February will result in a late fee plus case-by-case evaluation for LEC for practicing without license a certified letter reflecting this will be sent out 1 February, additionally postcards will be sent out in good faith to try to [sic] encourage everyone to renew license as soon as possible.” Dr. Jason Ford seconded the motion. All were in favor. Dr. C. Mark Fort abstained.

Dr. Rich made a motion that those licensees who are did not meet the ten year HIV/AIDS education course renewal due date of 12/31/2011, shall receive a private admonishment, the standard continuing education fine for a two hour deficiency and complete the course within 20 days of receipt of letter or the licensee shall be subject to disciplinary action. Allan Francis seconded the motion. All were in favor.

OLD BUSINESS

Adding the board member zones to KRS 313 was discussed.

NEW BUSINESS

Allan Francis made a motion to approve the 5% pay raise (increment) to David Beyer. Dr. Zena seconded the motion. All were in favor.

Student limited license fees for residents were discussed.

The format of board minutes were discussed.

Dr. Fort made a motion to approve the November minutes with two corrections. Allan Francis seconded the motion. All were in favor. Dr. Susan King abstained.

Dr. Rich gave an update on teeth whitening complaints.

Allan Francis made a motion that the board provide Dr. Kathy King reimbursement for her service to the KASPER task force. Dr. Zena seconded the motion. All were in favor. Dr. Kathy King recused herself.

Dr. Fort made a motion that Dr. Candace Flenor be granted a 90 day extension to be in compliance with her continuing education requirement. Allan Francis seconded the motion. All were in favor.

The Board took no action on the request from the Oregon Board to support them in their action to reduce the ADA's proposed requirement of a portfolio.

Dr. Fort made a motion that Dr Randy Travis' request that pediatric enteral sedation be allowed to be administered at home be referred to sedation committee for consideration to amend the sedation regulation. Dr. Zena seconded the motion. All were in favor.

Dr. Zena made a motion that Dr. Travis must abide by the regulation in the interim. Dr. Brantley seconded the motion. All were in favor.

Dr. Fort made a motion to grant a 6 month extension on Jamie Withers' application. Dr. Ford seconded the motion. All were in favor.

Dr. Kathy King made a motion to hold board member training on Thursday, March 8, 2012 in Louisville starting at 9:00 a.m. Mary Ann Burch seconded the motion. All were in favor. Dr. Susan King, Dr. Fort and Allan Francis are unable to attend.

Dr. Zena made a motion that a dentist with a BDS degree may not represent himself as a Kentucky dentist with a D.M.D. degree. Dr. Susan King seconded the motion. All were in favor.

Mary Ann Burch went on the record that the Dental Board Report is not a publication of the Kentucky Board of Dentistry. Mary Ann Burch made a motion that a notice be added to the website that the only official publications can be found on our website only. Allan Francis seconded the motion. All were in favor.

Dr. Robinson made a motion was adjourned for lack of quorum at 2:45 pm. Dr. Kathy King seconded the motion. All were in favor.

APPROVED:

Adam Rich, D.M.D.
President

Mary Ann Burch, R.D.H.
Vice President